

## REMARKS

Claims 1-49 are currently pending. Claims 2-12, 16-24, 40-46, and 49 are withdrawn pursuant to a restriction election.

The Applicants would like to thank the Examiner for pointing out the duplicate claim number for claim 34. Claims 37-39 and 41-48, have been amended to correct the claim dependency due to the claim renumbering. All of the amendments are fully supported by the specification, claims, and figures as originally filed. No new matter is believed or intended to be involved.

### **Restriction Election**

The Examiner contends that the application contains distinct inventions and requires restriction to one of the following inventions is required under 35 U.S.C. 121 and 372:

- I. Claims 1-12, 15, 16, 25-39, 47, and 48, drawn to the compounds, compositions and methods of use of the bisbenzamindines of formula I where the Linker is 1,4-piperazinediyl..
- II. Claims 1, 13-15, 25-39, 47, and 48, drawn to the compounds, compositions and methods of use of the bisbenzamindines of formula I where the Linker is 1,4-homopiperazinediyl.
- III. Claims 1, 2, 13, 15, 25-29, 47, and 48, drawn to the compounds, compositions and methods of use of the bisbenzamindines of formula I where the Linker is other than that embraced by Groups I and II above.
- IV. Claim 17, drawn to the bisbenzamidine of formula II.
- V. Claims 18 and 19, drawn to the bisbenzamidines as claimed therein.
- VI. Claims 20-24 and 40-48, drawn to the complex compositions and method of use of the complex compositions of formula I and an additional active ingredient.
- VII. Claim 49, drawn to a kit.

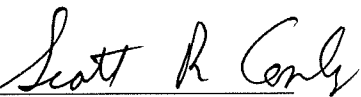
The Applicants elect the claims of **Group II**, including claims 1, 13-15, 25-39, 47, and 48, for further prosecution in the present application, reserving the right to prosecute the remaining claims in a separate divisional application.

Because Group II was elected, an election of a single species is not required.

Should the Examiner wish to discuss the amendments or arguments made herein, Applicant invites the Examiner to contact the undersigned at (513)651-6818 or via e-mail at [srconley@fbtlaw.com](mailto:srconley@fbtlaw.com).

The Commissioner for Patents is hereby authorized to charge any deficiency, including any fees required for an extension of time not already paid for or any other required fees not already paid for, or to credit any overpayment of fees, to Frost Brown Todd LLC Deposit Account No. 06-2226.

Respectfully submitted,  
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By 

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